

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend title XI of the Social Security Act to improve access to care for all Medicare and Medicaid beneficiaries through models tested under the Center for Medicare and Medicaid Innovation, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title XI of the Social Security Act to improve access to care for all Medicare and Medicaid beneficiaries through models tested under the Center for Medicare and Medicaid Innovation, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “John Lewis Equality  
5       in Medicare and Medicaid Treatment Act of 2022”.

1 **SEC. 2. IMPROVING ACCESS TO CARE FOR MEDICARE AND**  
2 **MEDICAID BENEFICIARIES.**

3 Section 1115A of the Social Security Act (42 U.S.C.  
4 1315a) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by inserting “ad-  
7 vance health equity and” before “improve the  
8 coordination”; and

9 (B) in paragraph (3)—

10 (i) by inserting “(including the Office  
11 of Minority Health of the Centers for  
12 Medicare & Medicaid Services, the Office  
13 of Rural Health Policy of the Health Re-  
14 sources and Services Administration, and  
15 the Office on Women’s Health of the De-  
16 partment of Health and Human Services)”  
17 after “relevant Federal agencies”; and

18 (ii) by striking “experts with expertise  
19 in medicine” and inserting “experts with  
20 expertise in medicine, the causes of health  
21 disparities and the social determinants of  
22 health, and”;

23 (2) in subsection (b)—

24 (A) in paragraph (2)—

25 (i) in subparagraph (A)—

1 (I) by inserting the following  
2 after the first sentence: “Prior to se-  
3 lecting a model under this paragraph,  
4 the Secretary shall consult with the  
5 Office of Minority Health of the Cen-  
6 ters for Medicare & Medicaid Services,  
7 the Office of Rural Health Policy of  
8 the Health Resources and Services  
9 Administration, and the Office on  
10 Women’s Health of the Department of  
11 Health and Human Services to ensure  
12 that models under consideration ad-  
13 dress health disparities and social de-  
14 terminants of health as appropriate  
15 for populations to be cared for under  
16 the model.”;

17 (II) by inserting “and, for models  
18 for which testing begins on or after  
19 January 1, 2023, address health eq-  
20 uity as well as improving access to  
21 care received by individuals receiving  
22 benefits under such title” after “appli-  
23 cable title”; and

24 (III) by adding at the end the  
25 following: “The models selected under

1           this subparagraph shall include the  
2           social determinants of health payment  
3           model described in subsection (h), the  
4           testing of which shall begin not later  
5           than December 31, 2023.”; and

6           (ii) in subparagraph (C), by adding at  
7           the end the following new clauses:

8           “(ix) Whether the model will affect  
9           access to care from providers and suppliers  
10          caring for high risk patients or operating  
11          in underserved areas.

12          “(x) Whether the model has the po-  
13          tential to reduce health disparities, includ-  
14          ing minority and rural health disparities.”;  
15          (B) in paragraph (3)(B)—

16           (i) in clause (i), by inserting “or  
17          health equity” after “quality of care”;

18           (ii) in clause (ii), by inserting “or in-  
19          creasing health inequities” after “quality  
20          of care”; and

21           (iii) in clause (iii), by inserting “or  
22          health equity” after “quality of care”; and  
23          (C) in paragraph (4)(A)—

24           (i) in clause (i), by striking “; and”  
25          and inserting a semicolon;

1 (ii) in clause (ii), by striking the pe-  
2 riod and inserting “; and”; and

3 (iii) by adding at the end the fol-  
4 lowing new clause:

5 “(iii) for models for which testing be-  
6 gins on or after January 1, 2023, the ex-  
7 tent to which the model improves health  
8 equity.”;

9 (3) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (A), by inserting  
12 “or, beginning on or after January 1,  
13 2023, increasing health inequities” before  
14 the semicolon; and

15 (ii) in subparagraph (B), by inserting  
16 “or, beginning on or after January 1,  
17 2023, health equity” after “patient care”;  
18 and

19 (B) in paragraph (3), by inserting “or in-  
20 crease health disparities experienced by bene-  
21 ficiaries, including low-income, minority, or  
22 rural beneficiaries, or that such expansion  
23 would improve health equity” before the period;

24 (4) in subsection (g), by adding at the end the  
25 following: “For reports submitted after the date of

1 enactment of the John Lewis Equality in Medicare  
2 and Medicaid Treatment Act of 2022, each such re-  
3 port shall include information on the following:

4 “(1) The interventions that address social de-  
5 terminants of health, health disparities, or health eq-  
6 uity in payment models selected by the CMI for test-  
7 ing under this section.

8 “(2) Estimated Federal savings achieved  
9 through reducing disparities, including rural and mi-  
10 nority health disparities, improving health equity, or  
11 addressing social determinants of health.

12 “(3) The effectiveness of interventions in miti-  
13 gating negative health outcomes and higher costs as-  
14 sociated with social determinants of health within  
15 models selected by the Center for Medicare and  
16 Medicaid Innovation for testing.

17 “(4) Other areas determined appropriate by the  
18 Secretary.”; and

19 (5) by adding at the end the following new sub-  
20 section:

21 “(h) SOCIAL DETERMINANTS OF HEALTH PAYMENT  
22 MODEL.—

23 “(1) IN GENERAL.—The social determinants of  
24 health payment model described in this subsection is  
25 a payment model that tests each of the payment and

1 service delivery innovations described in paragraph  
2 (2) in a region determined appropriate by the Sec-  
3 retary.

4 “(2) PAYMENT AND SERVICE DELIVERY INNO-  
5 VATIONS DESCRIBED.—For purposes of paragraph  
6 (1), the payment and service delivery innovations de-  
7 scribed in this clause are the following:

8 “(A) Payment and service delivery innova-  
9 tions for behavioral health services, focusing on  
10 gathering actionable data to address the higher  
11 costs associated with beneficiaries with diag-  
12 nosed behavioral conditions.

13 “(B) Payment and service delivery innova-  
14 tions targeting conditions or comorbidities of  
15 individuals entitled or enrolled under the Medi-  
16 care program under title XVIII and enrolled  
17 under a State plan under the Medicaid program  
18 under title XIX to increase capacity in under-  
19 served areas.

20 “(C) Payment and service delivery innova-  
21 tions targeting conditions or comorbidities of  
22 applicable individuals to increase capacity in  
23 underserved areas.

24 “(D) Payment and service delivery innova-  
25 tions targeted on Medicaid eligible pregnant

1                   and postpartum women, up to one year after  
2                   delivery.”.